

### **REMARKS/ARGUMENTS**

The rejections presented in the Office Action dated April 22, 2009, (hereinafter Office Action) have been considered, and reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Each of the rejected claims (Claims 1-5, 11-13, and 17-22) has been canceled, without prejudice, rendering the rejections thereof moot. Applicant accordingly requests that each of the rejections of Claims 1-5, 11-13, and 17-22 be withdrawn.

Applicant appreciates the indication of allowance for Claims 14-16 and 26 as well as the indication of allowability for Claims 6-10 and 23-25.

In view of the allowability of dependent Claim 6, Claim 6 has been amended to be rewritten in independent form by including the limitations of the underlying independent Claim 1 in accordance with the requirements for allowance set forth at page eleven. Since Claims 7-10 and 23-25 depend from Claim 6 and Claims 14-16 and 26 are in condition for allowance, each of the pending claims is now believed to be in condition for allowance. Thus, Applicant respectfully requests that the objection to Claims 6-10 and 23-25 be removed and the application be formally allowed.

In addition, Applicant has added new Claim 27. This claim largely corresponds to the limitations of allowable Claim 6, and further support may be found in the original Specification, for example, at page 10, lines 28-31; therefore, the new claim does not introduce new matter. Claim 27 is believed to be patentable over the asserted references for the same reasons as Claim 6 as set forth at page eleven of the Office Action. Accordingly, Applicant requests that Claim 27 be allowed.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (BKS.021.WUS) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the

undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

HOLLINGSWORTH & FUNK, LLC  
8009 34<sup>th</sup> Avenue South, Suite 125  
Minneapolis, MN 55425  
952.854.2700

Date: July 21, 2009

By: /Erin M. Nichols/

Erin M. Nichols  
Reg. No. 57,125